IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

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SUMMONS FOR JUDGMENT NO.239 OF 2006

IN

SUMMARY SUIT NO.1188 OF 2006

...

Raj Corporation ...Plaintiff

v/s.

M/s.Sugandha International ...Defendants

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Mr.S.S.Bhise i/b S.P.Ramaiya for the Plaintiff.

Mr.N.H.Shukla for the Defendants.

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CORAM: D.K.DESHMUKH, J.

DATED: 3RD OCTOBER,2006

P.C.:

. The Plaintiff has filed this suit for recovery of

the price of the goods supplied by the Plaintiff. From the documents produced on record by the Plaintiff, it is clear that the Defendants issued cheques dated 12-7-2002 for payment of the price of the goods, but the cheque was dishonoured. Therefore, the Plaintiff issued a letter dated 11-8-2003. In reply to that letter the Defendants admitted their liability and promised to make the payment. Thus, the claim made by the Plaintiff is admitted by the Defendants.

. The Defendants have been served with the summons for judgment. Within the time allowed by Order XXXVII of the CPC, the Defendants have not filed any application to leave to defend. In the absence of any application for leave to defend, in terms of the provisions of Order XXXVII of CPC, the Plaintiff is entitled to judgment. Apart from that I also found that the liability is admitted by the Defendants. Summons for judgment is therefore, granted. Suit of the Plaintiff is decreed in terms of the prayer clauses of the suit. Summons for judgment disposed of. Refund of court fees as per rules.

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